

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

IN RE: AQUEOUS FILM-FORMING FOAMS
PRODUCTS LIABILITY LITIGATION

) Master Docket No.:
) 2:18-mn-2873-RMG

CITY OF CAMDEN, et al.,

Plaintiffs,

-VS-

3M COMPANY,

Defendant.

)
) Civil Action No.:
) 2:23-cv-03147-RMG

JOINT MOTION TO CLARIFY
THE PRELIMINARILY APPROVED SETTLEMENT AGREEMENT

1. Plaintiffs, City of Camden, City of Brockton, City of Sioux Falls, California Water Service Company, City of Del Ray Beach, Coraopolis Water & Sewer Authority, Township of Verona, Dutchess County Water & Wastewater Authority and Dalton Farms Water System, City of South Shore, City of Freeport, Martinsburg Municipal Authority, Seaman Cottages, Village of Bridgeport, City of Benwood, Niagara County, City of Pineville, and City of Iuka (collectively, “Plaintiffs”), by and through Class Counsel, along with the 3M Company (“3M”)—together, the “Parties”—move to clarify the Settlement Agreement (ECF No. 3370-3), as preliminarily approved by Court Order dated August 29, 2023 (ECF No. 3626). The grounds for this motion are as follows:

2. Plaintiffs filed their Preliminary Approval Motion on July 3, 2023. The Preliminary Approval Motion attached as an exhibit, among other items, the Settlement Agreement between the Parties (ECF No. 3370-3). The Settlement Agreement specifies, among other things, the claims that will be released by the Settlement, claims that are excluded from the release, and the persons who will give a release. The Settlement Agreement was granted preliminary approval by Court Order on August 29, 2023 (ECF No. 3626).

3. Several Class Members have filed objections that relate to the scope of the release. Several other Class Members have asked Class Counsel questions about the release.

4. Class Counsel and 3M have met and conferred extensively on these issues. The discussions have resulted in an agreement to clarify the Settlement Agreement with the Parties' Joint Interpretive Guidance on Certain Release Issues (the "Joint Interpretive Guidance") attached hereto, for the purpose of offering clarity and confirmation on these issues.

5. The attached Joint Interpretive Guidance contains clarifications on the following issues:

- The meaning of certain words in the exclusions from the release in Paragraphs 11.1.2.1 and 11.1.2.2 of the Settlement Agreement.
- The extent to which claims for contribution and indemnity are released.
- The extent of the release given by certain persons affiliated with Public Water Systems.

6. Attached hereto is the Joint Interpretive Guidance intended to clarify the preliminarily approved Settlement Agreement. Class Counsel and 3M respectfully request that the Court enter an Order accepting the Joint Interpretive Guidance as a clarification to the Settlement Agreement.

Dated: November 29, 2023

Respectfully submitted,

/s/ Michael A. London

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Counsel for 3M

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was electronically filed with this Court's CM/ECF on this 29th day of November, 2023, and was thus served electronically upon counsel of record.

/s/ Michael A. London

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